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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|----------------------------|---------------|----------------------|---------------------|------------------|
| 10/666,454 | 09/17/2003 | Tyler J. Gomm | 501283.01 | 8364 |
| 75 | 90 02/15/2006 | | EXAM | INER |
| Steven H. Arterberry, Esq. | | | DINH, SON T | |
| DORSEY & W | HITNEY LLP | | | |
| Suite 3400 | | ART UNIT | PAPER NUMBER | |
| 1420 Fifth Avenue | | | 2824 | |
| Seattle, WA 9 | 8101 | | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

| 8V |
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| | Application No. | Applicant(s) | | |
|--|--|--|--|--|
| Office Astion Commence | 10/666,454 | GOMM, TYLER J. | | |
| Office Action Summary | Examiner | Art Unit | | |
| | Son T. Dinh | 2824 | | |
| The MAILING DATE of this communication app Period for Reply | ears on the cover sheet with the c | orrespondence address | | |
| A SHORTENED STATUTORY PERIOD FOR REPLY WHICHEVER IS LONGER, FROM THE MAILING DA - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period w - Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b). | ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be tim rill apply and will expire SIX (6) MONTHS from cause the application to become ABANDONEI | ely filed the mailing date of this communication. 0 (35 U.S.C. § 133). | | |
| Status | | | | |
| 1) Responsive to communication(s) filed on | | | | |
| 2a) This action is FINAL . 2b) This | action is non-final. | | | |
| 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is | | | | |
| closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. | | | | |
| Disposition of Claims | | | | |
| 4) ⊠ Claim(s) 1-37 is/are pending in the application. 4a) Of the above claim(s) is/are withdraw 5) □ Claim(s) is/are allowed. 6) □ Claim(s) is/are rejected. 7) □ Claim(s) is/are objected to. 8) ⊠ Claim(s) 1-37 are subject to restriction and/or expressions. | | | | |
| Application Papers | | | | |
| 9) The specification is objected to by the Examiner 10) The drawing(s) filed on 17 September 2003 is/a Applicant may not request that any objection to the of Replacement drawing sheet(s) including the correction of the original original original representation is objected to by the Examiner | re: a)⊠ accepted or b)⊡ object drawing(s) be held in abeyance. See on is required if the drawing(s) is obj | ected to. See 37 CFR 1.121(d). | | |
| Priority under 35 U.S.C. § 119 | | | | |
| 12) Acknowledgment is made of a claim for foreign a) All b) Some * c) None of: 1. Certified copies of the priority documents 2. Certified copies of the priority documents 3. Copies of the certified copies of the prior application from the International Bureau * See the attached detailed Office action for a list of | s have been received. s have been received in Application ity documents have been receive (PCT Rule 17.2(a)). | on No d in this National Stage | | |
| Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date | 4) Interview Summary Paper No(s)/Mail Da 5) Notice of Informal Pa | | | |

DETAILED ACTION

Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- Claims 1-28, drawn to a configuration circuit connected between a processor and a memory device, classified in class 365, subclass 63.
- II. Claims 29-37, drawn to a method of testing a memory device, classified in class 365, subclass 201.

The inventions are distinct, each from the other because of the following reasons:

Inventions I and II are related as product and process of use. The inventions can be shown to be distinct if either or both of the following can be shown: (1) the process for using the product as claimed can be practiced with another materially different product or (2) the product as claimed can be used in a materially different process of using that product. See MPEP § 806.05(h). In the instant case the method of testing in Group II can be practiced with a memory device that does not have a configuration circuit connected between a processor and a memory device.

Because these inventions are independent or distinct for the reasons given above and the inventions require a different field of search (see MPEP § 808.02), restriction for examination purposes as indicated is proper.

Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the

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requirement be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

Should applicant traverse on the ground that the inventions or species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the inventions or species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C.103(a) of the other invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Son T. Dinh whose telephone number is 571-272-1868. The examiner can normally be reached on Monday to Friday 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Elms can be reached on 571-272-1869. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

S. Dinh February 12, 2006

Allen Constant